

October 8, 2015

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**Via Email and U.S. Mail**

Mrs. Susan M. Hudson, Clerk  
Vermont Public Service board  
112 State Street, Drawer 20  
Montpelier, VT 05620-2701

Re: Docket No. 7970: Third Request for Non-Substantial Change Determination

Dear Mrs. Hudson:

On August 25, 2015, Vermont Gas Systems, Inc. (“Vermont Gas” or the “Company”) requested that the Public Service Board (the “Board”) issue a non-substantial change determination (the “Request”) regarding 18 modifications to Phase 1 of the Addison Rutland natural Gas Project (“Project”). The Board has not issued an order setting a date for submission of comments on the Request. By this letter, Vermont Gas respectfully asks the Board to consider the two changes associated with the Rocky Ridge golf course in St. George on a stand-alone basis due to scheduling requirements that may jeopardize meeting the Project’s planned 2016 in-service date and to take advantage of construction efficiencies, as described below. For the reasons articulated in the pending Request and supporting memoranda and exhibits, Vermont Gas requests that the Board issue a determination that these two changes are non-substantial and do not require an amendment to the Project’s certificate of public good.<sup>1</sup>

As explained in the Request, the construction associated with the Rocky Ridge golf course must occur between November 1, 2015 and February 28, 2016 under the Company’s agreement with the landowner to avoid business disruption. The Project will not meet the scheduled 2016 in-service date if this segment of the Project is not constructed within the November, 2015 to February, 2016 timeframe. In addition, the construction contractor has almost completed the first eleven miles of the Project and could transition directly to the Rocky Ridge segment. This would avoid additional mobilization and demobilization costs that will accrue if constructing this segment is delayed. Vermont Gas estimates that these additional charges could likely be avoided provided that construction can commence by November 15. Further, constructing in November is preferable given that conditions in November are likely to be more favorable than later in the winter season.

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<sup>1</sup> For purposes of efficiency, Vermont Gas incorporates the Request and supporting attachments by reference rather than resubmitting them at this time.

The changes associated with the Rocky Ridge golf course are in response to landowner requests to minimize impacts to certain golf course improvements and avoid interruptions to business operation. The changes involve relocating the pipeline along Route 116 next to the golf course and adjusting the pipeline alignment to avoid infrastructure on the course. The changes are designated as PH1-19 and A-08 in Attachment 1A to the Request. They are also shown in EPSC Sheet 035 in Attachment 1C to the Request. As noted on Attachment 2B to the Request, change A-08 does not require any collateral permit amendments, and change PH1-19 requires amending only the Vermont Individual Construction Stormwater Discharge Permit #6949-INDC ("INDC"). The INDC amendment request has been accepted as administratively and technically complete by the Agency of Natural Resources, and is currently within the public comment period scheduled to end on October 16, 2015. An amended INDC permit is anticipated shortly thereafter. Vermont Gas will abide by the terms of the amended stormwater permit. Aside from this minor change to the area of proposed earth disturbance associated with the relocated pipeline, these two changes do not have the potential to impact any of the relevant Section 248 criteria. *See* Attachment 2B.

For these reasons, Vermont Gas respectfully requests that the Board consider changes PH1-19 and A-08 on a stand-alone basis and issue a determination that they are non-substantial on the grounds articulated in the pending Request and supporting attachments. While Vermont Gas is prepared to wait for a determination on the remaining 16 changes until the second remand proceeding concludes, an order on these two changes as soon as practicable is critical to meeting the overall Project schedule and keeping the Project within budget.

Thank you in advance for your consideration and attention in this matter, and please let Vermont Gas know should you have any questions or require additional information about the proposed changes.

Sincerely yours,

DOWNS RACHLIN MARTIN PLLC  
Attorneys for Vermont Gas Systems, Inc.



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